

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN RAMON DIAZ,

Petitioner,

v.

S. SAMALOSON,

Respondent.

Case No. 2:24-cv-2915-JDP (P)

ORDER

On May 2, 2025, respondent filed a motion to dismiss. ECF No. 4. To date, petitioner has not filed an opposition or statement of non-opposition.


To manage its docket effectively, the court imposes deadlines and requires litigants to meet those deadlines. The court may dismiss a case for petitioner's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (“[T]he consensus among our sister circuits, with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at least under certain circumstances.”). Involuntary dismissal is a harsh penalty, but the court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

Petitioner will be given an opportunity to explain why the court should not dismiss his case for failure to file an opposition or statement of non-opposition to respondent's motion to

1 dismiss. Petitioner's failure to respond to this order will constitute a failure to comply with a
2 court order and will result in dismissal of this case. Accordingly, petitioner must show cause
3 within twenty-one days of the date of entry of this order why the court should not dismiss his case
4 for failure to prosecute. Should petitioner wish to continue with this lawsuit, he shall also file,
5 within twenty-one days, an opposition or statement of non-opposition.

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7 IT IS SO ORDERED.

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9 Dated: June 11, 2025


10 JEREMY D. PETERSON
11 UNITED STATES MAGISTRATE JUDGE
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